

DOCKET NO. PRES06-00163

Customer No. 23990

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Ronald A. Schachar

Serial No.: 09/556,143

Filed: April 21, 2000

Title: SEGMENTED SCLERAL BAND FOR TREATMENT OF PRESBYOPIA AND OTHER EYE DISORDERS

Examiner: David M. Shay

Art Group Unit: 3735

MAIL STOP PETITIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

Sir:

The undersigned hereby certifies that the following documents:

1. Petition Under 37 § C.F.R. 1.47(b) with Appendices A - F;
2. A check in the amount of \$200.00 for the Petition fee; and
3. A postcard receipt

relating to the above application, were deposited as "First Class Mail" with the United States Postal Service, addressed to MAIL STOP PETITIONS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 15, 2008.

Date: February 15, 2008

Lori Voinin
Mailer

Date: February 15, 2008

William A. Munck
William A. Munck
Reg. No. 39,308

P.O. Drawer 800889
Dallas, Texas 75380
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Fax: (972) 628-3616
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DOCKET NO. PRES06-00163

PATENT

Customer No. 23990



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ronald A. Schachar

Serial No.:

09/556,143

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Title:

SEGMENTED SCLERAL BAND FOR TREATMENT OF
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MAIL STOP PETITIONS

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PETITION UNDER 37 C.F.R. § 1.47(b)

In response to the denial of the Petition Under 37 C.F.R. § 1.47(b) filed on August 28, 2007, the assignee of the entire interest of the above-identified patent application hereby submits this renewed petition.

The assignee of the entire interest of the above-identified patent application requests that the above-identified patent application be made on behalf of the inventor, Dr. Ronald A. Schachar. Dr. Schachar is either unavailable or refuses to sign.

As proof of the pertinent facts evidencing the unavailability of or refusal to sign by the inventor, the undersigned counsel states the following:

02/20/2008 CNEGA1 00000009 09556143

01 FC:1463

200.00 0P

1. This patent application is currently owned by Refocus Ocular, Inc. as shown by an assignment recorded at reel 015612, frame 0457; a merger recorded at reel 015612, frame 0466; and a change of name recorded at reel 015612, frame 0469 in the Assignment Records of the U.S. Patent and Trademark Office.
2. By certified mail delivered on March 17, 2007, Dr. Schachar was sent a copy of the above-identified patent application, a copy of all Office Actions and responses thereto associated with the above-identified patent application, and a copy of a Declaration.
3. No executed Declaration has been received from Dr. Schachar as of the date of signature below.
4. A copy of a letter that accompanied the patent application and the Declaration and a copy of a signed return receipt are included in Appendix A.
5. A copy of the property records from the Dallas County Appraisal District for Dallas County, Texas is included in Appendix B. The property records indicate that Ronald A. Schachar is the current owner of the residential property at 10010 Lennox Lane, Dallas, Texas.
6. A copy of the ownership history of the residential property at 10010 Lennox Lane, Dallas, Texas from the Dallas County Appraisal District is included in Appendix C. The ownership history indicates that Ronald A. Schachar has been an owner of this residential property since 1999.

7. A copy of the exemption details history for the residential property at 10010 Lennox Lane, Dallas, Texas from the Dallas County Appraisal District is included in Appendix D. The exemption details history indicates that Ronald A. Schachar has claimed a homestead exemption in this residential property since 1999.
8. A form identifying the requirements for claiming a homestead exemption in a residential property is included in Appendix E. The form indicates that a person must "own and occupy" a residence in order to claim the homestead exemption.
9. These documents clearly demonstrate that Ronald A. Schachar has owned and occupied the residential property at 10010 Lennox Lane, Dallas, Texas since 1999. As a result, the last known home address and telephone number for Dr. Schachar are:

10010 Lennox Lane
Dallas, Texas 75229
(214) 368-4191

10. A signed Declaration executed by the undersigned counsel on behalf of Refocus Ocular, Inc. is included in Appendix F. The undersigned counsel is authorized to sign this Declaration on behalf of Refocus Ocular, Inc.
11. The undersigned counsel previously worked with Dr. Schachar during the undersigned counsel's representation of Refocus Ocular, Inc. and/or its predecessor entities. As noted above, the undersigned counsel has signed the Declaration on behalf of Refocus Ocular, Inc., current owner of this application.

12. The filing date of the above-identified patent application is necessary to preserve the rights of Refocus Ocular, Inc. and/or to prevent irreparable damage to Refocus Ocular, Inc.

The above statements and attached documents evidence the pertinent facts surrounding inventor Dr. Ronald A. Schachar's unavailability or refusal to sign the present application.

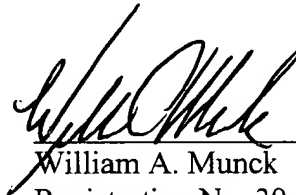
Accordingly, the assignee of the entire interest requests the Patent Office grant this petition.

Respectfully submitted,

MUNCK BUTRUS CARTER, P.C.

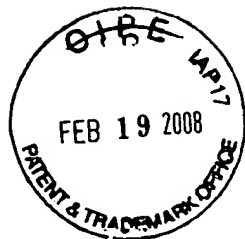
Date:

February 15, 2008



William A. Munck
Registration No. 39,308

P.O. Drawer 800889
Dallas, Texas 75380
(972) 628-3600 (main number)
(972) 628-3616 (fax)
E-mail: wmunck@munckbutrus.com



DOCKET NO. PRES06-00163
SERIAL NO. 09/556,143
PATENT

APPENDIX A

Copy of March 17, 2007 Letter and
Signed Return Receipt



March 12, 2007

CONFIDENTIAL AND PRIVILEGED ATTORNEY/CLIENT COMMUNICATION

Ronald A. Schachar
10010 Lennox Lane
Dallas, Texas 75229

Re: United States Patent Application Serial No. 09/556,143 for "SEGMENTED SCLERAL
BAND FOR TREATMENT OF PRESBYOPIA AND OTHER EYE DISORDERS"
Our File: PRES06-00163

Dear Dr. Schachar:

The Examiner in the above referenced matter has objected to the Declaration that was filed in this matter and has requested that we prepare and file a new Declaration. We have enclosed a copy of the specification as filed, along with each of the Office Actions as issued and our responses thereto, for your review. Also enclosed is the new Declaration that we have prepared for your signature. Please sign the Declaration and return it to us at your earliest convenience.

As always, should you have any questions, please do not hesitate to contact us.

Very truly yours,

MUNCK BUTRUS, P.C.


William A. Munck

7005 3110 0003 5505 9464

U.S. Postal ServiceTM	
CERTIFIED MAILTM RECEIPT	
<small>(Domestic Mail Only; No Insurance Coverage Provided)</small>	
<small>For delivery information visit our website at www.usps.com</small>	
OFFICIAL USE	
Postage	\$
Certified Fee	
Return Receipt Fee <small>(Endorsement Required)</small>	
Restricted Delivery Fee <small>(Endorsement Required)</small>	
Total Postage & Fees	\$
Postmark: Here 3/16/07	
Sent To <u>Dr. Schachar</u>	
Street, Apt. No., or PO Box No.	
City, State, ZIP+4	
PS Form 3800, June 2002 See Reverse for Instructions	

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

RONALD A. SCHACHAR
10010 Lemnox Lane
Dallas, Texas 75229

COMPLETE THIS SECTION ON DELIVERY

A. Signature R. A. Schachar Agent ☒ Addressee ☐
B. Received by (Printed Name) _____ C. Date of Delivery 3-17-07
D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below: _____

3. Service Type
☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

2. Article Number

(Transfer from service label) 7005 3110 0003 5505 9464

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1040

DOCKET NO. PRES06-00163
SERIAL NO. 09/556,143
PATENT

APPENDIX B

**Copy of Property Records from the
Dallas County Appraisal District**



Residential Account #00000416305000000

Location Owner Legal Desc Value Main Improvement Additional Improvements Land Exemptions Estimated Taxes History

Property Location (Current 2008)

Address: 10010 LENNOX LN
Neighborhood: 5DSV03
Mapsc0: 24-Q (DALLAS)

Legal Desc (Current 2008)

- 1: TAYLOR ESTATES
- 2: BLK 3/5531 LOT 6
- 3: WALNUT HILL LN & LENNOX LN
- 4: VOL98212/6787 DD102398 CO-DALLAS
- 5: 5531 003 00600 1005531 003

Deed Transfer Date: 10/29/1998

DCAD Property Map



Print Homestead Exemption Form

YAHOO! Maps

Owner (Current 2008)

SCHACHAR RONALD A &
KATHY L
PO BOX 601149
DALLAS, TEXAS 753601149

Multi-Owner (Current 2008)

Not Applicable (N/A)

Value (Certified 2007)	
2007	Certified Values
Improvement:	\$1,589,360
Land:	+ \$684,000
Market Value:	= \$2,273,360
Capped Value: \$2,133,263	
Tax Agent: KANTER COMPANY	
Revaluation Year:	2007
Previous Revaluation Year:	2006

Main Improvement (Current 2008)

Building Class	26	Construction Type	FRAME	# Baths (Full/Half)	8/ 1
Year Built	1986	Foundation	PIER AND BEAM	# Kitchens	1
Effective Year Built	1986	Roof Type	HIP	# Bedrooms	6
Actual Age	22 years	Roof Material	ALUMINIUM	# Wet Bars	5
CDU (Condition / Desirability / Utility)	AVERAGE	Fence Type	WOOD	# Fireplaces	4
Living Area	10,872 sqft	Ext. Wall Material	BRICK VENEER	Sprinkler (Y/N)	N

Total Area	10,872 sqft	Basement	NONE	Deck (Y/N)	N
% Complete	100%	Heating	CENTRAL FULL	Spa (Y/N)	N
# Stories	ONE AND ONE HALF STORIES	Air Condition	CENTRAL FULL	Pool (Y/N)	Y
Depreciation	30%			Sauna (Y/N)	N

Additional Improvements (Current 2008)

#	Improvement Type	Construction	Floor	Exterior Wall	Area (sqft)
1	ATTACHED GARAGE	BK-BRICK	CONCRETE	UNASSIGNED	903
2	POOL	UNASSIGNED	UNASSIGNED	CC-CONCRETE (POOL)	0

Land (Certified 2007)

#	State Code	Zoning	Frontage (ft)	Depth (ft)	Area	Pricing Method	Unit Price	Market Adjustment	Adjusted Price	Ag Land
1	SINGLE FAMILY RESIDENCES	SINGLE FAMILY DISTRICT 1 ACRE	0	0	1.1400 ACRE	STANDARD	\$1,000,000.00	-40%	\$684,000	N

Exemptions (Certified 2007)

	City	School	County	College	Hospital	Special District
Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
HOMESTEAD EXEMPTION	\$426,652	\$228,326	\$426,652	\$426,652	\$426,652	\$0
OVER 65 EXEMPTION	\$64,000	\$45,000	\$69,000	\$50,000	\$69,000	\$0
Taxable Value	\$1,642,611	\$1,859,937	\$1,637,611	\$1,656,611	\$1,637,611	\$0

Other Exemption: OVER 65

Exemption Details (Certified 2007)

Estimated Taxes (Certified 2007)

	City	School	County	College	Hospital	Special District
Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
Tax Rate per \$100	\$0.7479	\$1.199643	\$0.232814	\$0.0804	\$0.254	N/A
Taxable Value	\$1,642,611	\$1,859,937	\$1,637,611	\$1,656,611	\$1,637,611	\$0
Estimated Taxes	\$12,285.09	\$22,312.60	\$3,812.59	\$1,331.92	\$4,159.53	N/A
Tax Ceiling	N/A	\$25,325.45	N/A	N/A	N/A	N/A
Total Estimated Taxes:						\$43,901.73

DO NOT PAY TAXES BASED ON THESE ESTIMATED TAXES. You will receive an **official tax bill** from the appropriate agency when they are prepared. Taxes are collected by the agency sending you the **official** tax bill. To see a listing of agencies that collect taxes for your property. [Click Here](#)

The estimated taxes are provided as a courtesy and should not be relied upon in making financial or other decisions. The Dallas Central Appraisal District (DCAD) does not control the tax rate nor the amount of the taxes, as that is the responsibility of each Taxing Jurisdiction. Questions about your taxes should be directed to the appropriate taxing jurisdiction. We cannot assist you in these matters. These tax estimates are calculated by using the most current certified taxable value multiplied by the most

current tax rate. **It does not take into account other special or unique tax scenarios.** If you wish to calculate taxes yourself, you may use the TaxEstimator to assist you.

History

History

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SERIAL NO. 09/556,143
PATENT

APPENDIX C

**Copy of Ownership History from the
Dallas County Appraisal District**



This website is for informational purposes only. Title research should be performed at the appropriate County Clerks office. This is not deemed a legal document.

Account History #000000416305000000

Owner Legal Desc Market Value Taxable Value Exemptions

Owner / Legal Description		
Year	Owner	Legal Description
2007	SCHACHAR RONALD A & KATHY L PO BOX 601149 DALLAS, TEXAS 753601149	1: TAYLOR ESTATES 2: BLK 3/5531 LOT 6 3: WALNUT HILL LN & LENNOX LN 4: VOL98212/6787 DD102398 CO-DALLAS 5: 5531 003 00600 1005531 003
2006	SCHACHAR RONALD A & KATHY L PO BOX 601149 DALLAS, TEXAS 753601149	1: TAYLOR ESTATES 2: BLK 3/5531 LOT 6 3: WALNUT HILL LN & LENNOX LN 4: VOL98212/6787 DD102398 CO-DALLAS 5: 5531 003 00600 1005531 003
2005	SCHACHAR RONALD A & KATHY L PO BOX 601149 DALLAS, TEXAS 753601149	1: TAYLOR ESTATES 2: BLK 3/5531 LOT 6 3: WALNUT HILL LN & LENNOX LN 4: VOL98212/6787 DD102398 CO-DALLAS 5: 5531 003 00600 1005531 003
2004	SCHACHAR RONALD A & KATHY L PO BOX 601149 DALLAS, TEXAS 753601149	1: TAYLOR ESTATES 2: BLK 3/5531 LOT 6 3: WALNUT HILL LN & LENNOX LN 4: VOL98212/6787 DD102398 CO-DALLAS 5: 5531 003 00600 1005531 003
		1: TAYLOR ESTATES

2003	SCHACHAR RONALD A & KATHY L PO BOX 601149 DALLAS, TEXAS 753601149	2: BLK 3/5531 LOT 6 3: WALNUT HILL LN & LENNOX LN 4: VOL98212/6787 DD102398 CO-DALLAS 5: 5531 003 00600 1005531 003
2002	SCHACHAR RONALD A & KATHY L PO BOX 601149 DALLAS, TEXAS 753601149 UNASSIGNED	1: TAYLOR ESTATES 2: BLK 3/5531 LOT 6 3: WALNUT HILL LN & LENNOX LN 4: VOL98212/6787 DD102398 CO-DALLAS 5: 5531 003 00600 1005531 003
2001	SCHACHAR RONALD A & KATHY L PO BOX 601149 DALLAS, TEXAS 753601149 UNASSIGNED	1: TAYLOR ESTATES 2: BLK 3/5531 LOT 6 3: WALNUT HILL LN & LENNOX LN 4: VOL98212/6787 DD102398 CO-DALLAS 5: 5531 003 00600 1005531 003
2000	SCHACHAR RONALD A & KATHY L PO BOX 601149 DALLAS, TEXAS 753601149 UNASSIGNED	1: TAYLOR ESTATES 2: BLK 3/5531 LOT 6 3: WALNUT HILL LN & LENNOX LN 4: VOL98212/6787 DD102398 CO-DALLAS 5: 5531 003 00600 1005531 003
1999	SCHACHAR RONALD A & KATHY L PO BOX 601149 DALLAS, TEXAS 753601149 UNASSIGNED	1: TAYLOR ESTATES 2: BLK 3/5531 LOT 6 3: WALNUT HILL LN & LENNOX LN 4: VOL98212/6787 DD102398 CO-DALLAS 5: 5531 003 00600 1005531 003

Market Value

Year	Improvement	Land	Total Market	Homestead Capped
2007	\$1,589,360	\$684,000	\$2,273,360	\$2,133,263
2006	\$1,693,780	\$478,800	\$2,172,580	\$1,939,330
2005	\$1,622,730	\$478,800	\$2,101,530	\$1,763,028
2004	\$1,501,760	\$478,800	\$1,980,560	\$1,602,753
2003	\$1,501,760	\$478,800	\$1,980,560	\$1,457,049
2002	\$965,490	\$359,100	\$1,324,590	N/A
2001	\$1,019,230	\$359,100	\$1,378,330	N/A
2000	\$1,019,230	\$359,100	\$1,378,330	N/A
1999	\$1,103,600	\$250,800	\$1,354,400	N/A

Taxable Value

Year	City	ISD	County	College	Hospital	Special District
2007	\$1,642,611	\$1,859,937	\$1,637,611	\$1,656,611	\$1,637,611	\$0
2006	\$1,487,464	\$1,685,397	\$1,482,464	\$1,501,464	\$1,482,464	\$0
2005	\$1,410,423	\$1,571,726	\$1,410,423	\$1,410,423	\$1,410,423	\$0
2004	\$1,282,203	\$1,427,478	\$1,282,203	\$1,282,203	\$1,282,203	\$0
2003	\$1,165,640	\$1,296,345	\$1,165,640	\$1,165,640	\$1,165,640	\$0
2002	\$1,059,672	\$1,177,131	\$1,059,672	\$1,059,672	\$1,059,672	\$0
2001	\$1,102,664	\$1,225,497	\$1,102,664	\$1,102,664	\$1,102,664	\$0
2000	\$1,102,664	\$1,225,497	\$1,102,664	\$1,102,664	\$1,102,664	\$0
1999	\$1,083,520	\$1,203,960	\$1,083,520	\$1,083,520	\$1,083,520	\$0

Exemptions

		City	School	County	College	Hospital	Special District
2007	Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
	HOMESTEAD EXEMPTION	\$426,652	\$228,326	\$426,652	\$426,652	\$426,652	\$0
	OVER 65 EXEMPTION	\$64,000	\$45,000	\$69,000	\$50,000	\$69,000	\$0
	Taxable Value	\$1,642,611	\$1,859,937	\$1,637,611	\$1,656,611	\$1,637,611	\$0

Other Exemption: OVER 65

	City	School	County	College	Hospital	Special District
2006	Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	UNASSIGNED
	HOMESTEAD EXEMPTION	\$387,866	\$208,933	\$387,866	\$387,866	\$0
	OVER 65 EXEMPTION	\$64,000	\$45,000	\$69,000	\$69,000	\$0
	Taxable Value	\$1,487,464	\$1,685,397	\$1,482,464	\$1,501,464	\$0

Other Exemption: OVER 65

	City	School	County	College	Hospital	Special District
2005	Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	UNASSIGNED
	HOMESTEAD EXEMPTION	\$352,605	\$191,302	\$352,605	\$352,605	\$0
	Taxable Value	\$1,410,423	\$1,571,726	\$1,410,423	\$1,410,423	\$0

	City	School	County	College	Hospital	Special District
2004	Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	UNASSIGNED

1999	Taxing Jurisdiction						
	City	School	County	College	Hospital	District	
	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED	
	\$270,880	\$150,440	\$270,880	\$270,880	\$270,880	\$0	
HOMESTEAD EXEMPTION							\$0
Taxable Value							\$1,083,520
							\$1,083,520

Exemption Details History

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DOCKET NO. PRES06-00163
SERIAL NO. 09/556,143
PATENT

APPENDIX D

**Copy of Exemption Details History from the
Dallas County Appraisal District**



Exemption Details History #000004163050000000

2007 2006 2005 2004 2003 2002 2001 2000 1999

2007

Applicant Name	SCHACHAR RONALD A &
Ownership %	100%
Homestead Date	1/1/1999
Homestead %	100%
Over 65	OVER 65
Over 65 %	100%
Over 65/Disabled Date	1/1/2006
Disabled Person	UNASSIGNED
Disabled %	0%
Tax Deferred	UNASSIGNED
Transferred	N
Defer	\$0
ISD	
Amount	25,325.45
Date	1/1/2006
Ceiling	Y
Transfer %	100.00%

Capped Homestead	\$2,133,263
Market Value	\$2,273,360

2006

Applicant Name	SCHACHAR RONALD A &
Ownership %	100%
Homestead Date	1/1/1999
Homestead %	100%
Over 65	OVER 65
Over 65 %	100%
Over 65/Disabled Date	1/1/2006
Disabled Person	UNASSIGNED
Disabled %	0%
Tax Deferred	UNASSIGNED
Transferred	
Defer	\$0
ISD	
Amount	25,325.45
Date	1/1/2006
Ceiling	Y
Transfer %	100.00%
Capped Homestead	\$1,939,330
Market Value	\$2,172,580

2005

Applicant Name	SCHACHAR RONALD A &
Ownership %	100%
Homestead Date	1/1/1999
Homestead %	100%
Over 65	UNASSIGNED
Over 65 %	0%
Over 65/Disabled Date	1/1/1900
Disabled Person	UNASSIGNED
Disabled %	0%
Tax Deferred	UNASSIGNED
Transferred	N
Defer	\$0
Capped Homestead	\$1,763,028
Market Value	\$2,101,530

2004

Applicant Name	SCHACHAR RONALD A &
Ownership %	100%
Homestead Date	1/1/1999
Homestead %	100%
Over 65	UNASSIGNED
Over 65 %	0%

Over 65 / Disabled Date	1/1/1900
Disabled Person	UNASSIGNED
Disabled %	0%
Tax Deferred	UNASSIGNED
Transferred	N
Defer	\$0
Capped Homestead	\$1,602,753
Market Value	\$1,980,560

2003

Applicant Name	SCHACHAR RONALD A &
Ownership %	100%
Homestead Date	1/1/1999
Homestead %	100%
Over 65	UNASSIGNED
Over 65 %	0%
Over 65 / Disabled Date	1/1/1900
Disabled Person	UNASSIGNED
Disabled %	0%
Tax Deferred	UNASSIGNED
Transferred	N
Defer	\$0
Capped Homestead	\$1,457,049

Market Value	\$1,980,560
--------------	-------------

2002

Applicant Name	SCHACHAR RONALD A &
Ownership %	100%
Homestead Date	1/1/1999
Homestead %	100%
Over 65	UNASSIGNED
Over 65 %	0%
Over 65/Disabled Date	1/1/1900
Disabled Person	UNASSIGNED
Disabled %	0%
Tax Deferred	UNASSIGNED
Transferred	N
Defer	\$0
Capped Homestead	\$0
Market Value	\$1,324,590

2001

Applicant Name	SCHACHAR RONALD A &
Ownership %	100%
Homestead Date	1/1/1999

Homestead %	100%
Over 65	UNASSIGNED
Over 65 %	0%
Over 65/Disabled Date	1/1/1900
Disabled Person	UNASSIGNED
Disabled %	0%
Tax Deferred	UNASSIGNED
Transferred	N
Defer	\$0
Capped Homestead	\$0
Market Value	\$1,378,330

2000

Applicant Name	SCHACHAR RONALD A &
Ownership %	100%
Homestead Date	1/1/1999
Homestead %	100%
Over 65	UNASSIGNED
Over 65 %	0%
Over 65/Disabled Date	1/1/1900
Disabled Person	UNASSIGNED
Disabled %	0%
Tax Deferred	UNASSIGNED

Transferred	N
Defer	\$0
Capped Homestead	\$0
Market Value	\$1,378,330

1999

Applicant Name	SCHACHAR RONALD A &
Ownership %	100%
Homestead Date	1/1/1999
Homestead %	100%
Over 65	UNASSIGNED
Over 65 %	0%
Over 65/Disabled Date	1/1/1900
Disabled Person	UNASSIGNED
Disabled %	0%
Tax Deferred	UNASSIGNED
Transferred	N
Defer	\$0
Capped Homestead	\$0
Market Value	\$1,354,400

DOCKET NO. PRES06-00163
SERIAL NO. 09/556,143
PATENT

APPENDIX E

**Copy of Homestead Exemption Form from the
Dallas County Appraisal District**



DALLAS CENTRAL APPRAISAL DISTRICT

P.O. Box 560328 Dallas, Texas 75356-0328
(214) 631-0910 or www.dallascad.org

RESIDENTIAL HOMESTEAD EXEMPTION APPLICATION FOR 2008

No fee is charged to process this application, but it must be notarized.



00000416305000000

SCHACHAR RONALD A &
PO BOX 601149
DALLAS, TEXAS 753601149

10010 LENNOX LN
TAYLOR ESTATES
BLK 3/5531 LOT 6
WALNUT HILL LN & LENNOX LN
VOL98212/6787 DD102398 CO-DALLAS

Step 1: In order to qualify for an exemption, you must **occupy** the property on January 1 of the year application is made. If the mailing address shown above is **incorrect** and you want the mailing address changed to match the property address, please check this box. ☐ If the mailing address is **correct**, but does **not** match the property address shown above, please explain why:

Step 2: Does more than one person own this property? Yes ☐ No ☐ If yes, please indicate the ownership status:

☐ Married ☐ Common law married **Please read Important Exemption Information below.**

☐ Married - living separately ☐ Separate individuals If separate individuals own this property, please list the percent of ownership for each and the name and mailing address of each owner who does **not** reside at this property.

Each individual owner, excluding married/common law couples, residing on the property must complete a separate application to qualify for an exemption for his or her interest in the property.

Step 3: Check Exemptions that apply to you. See the Explanation of Exemptions for more information.

- ☐ **General Residential Homestead Exemption.** You must own and occupy the property on January 1 to qualify.
- ☐ **Over-65 Exemption.** Please attach proof of age, such as copy of your driver's license or birth certificate.
- ☐ **Disabled Person Exemption.** Attach proof of disability. See the Explanation of Exemptions for acceptable types of proof. If you are a disabled **veteran**, call **214-631-0910** to request a Disabled Veteran application or the form is available on www.dallascad.org.
- ☐ **Over-55 Surviving Spouse of a person who received the Over-65 Exemption.**
Spouse's Name: _____ Date of Death: _____
- ☐ **Late Filing of Homestead Exemption for prior year,** _____. Application must be received no later than 1 year from the delinquency date for the taxes on your homestead.
- ☐ **Transfer Tax Ceiling for Over-65/Over-55 Surviving Spouse or Disabled Person.** Please request a form by calling 214-631-1342 or by going to the website at www.dallascad.org.

Important Exemption Information

The Texas State Property Tax Code requires only one spouse to apply for a homestead exemption. However, if the applicant signing this application is married or common law married, it is to your benefit for your spouse to also provide his or her identification information (Social Security or Driver's License number and date of birth) in the space provided in Step 5. This information will allow the appraisal district to **automatically** grant an Over-65 exemption to whichever spouse attains age 65 first, or upon the applicant's death, will allow the appraisal district to determine if the surviving spouse is qualified to continue the deceased spouse's Over-65 or Disabled Person exemption.

Does your spouse qualify for a disabled person exemption? ☐ Yes ☐ No If yes, please have your spouse provide proof of disability. See the Explanation of Exemptions for acceptable types of proof. Your proof must provide the date your disability began.

(continued)

HSXA 02/08

EXPLANATION OF EXEMPTIONS

Por favor volte para explicacion en español o hable al 214-631-0910.

Homestead Exemptions reduce your taxes. As a property owner, you are entitled to certain exemptions on your homestead. The Dallas Central Appraisal District will process your application as required by law as a public service.

Step 2. If the person who qualifies for an exemption is **not** the sole owner (or married couple or common law, etc.) of the property to which the exemption applies, an application for a residential homestead exemption must be completed by **each owner** of the residence and the ownership percent of interest for each owner must be indicated on the application. For property owned through a beneficial interest in a qualifying trust, **attach** a copy of the agreement or will creating the trust.

Step 3. Types of Exemptions:

General Homestead Exemption. To qualify for this exemption, you must own and reside in your home on January 1 of the tax year application is made. A homestead may include acreage that you use as part of your residence. If you temporarily move away from your home, you still can qualify for this exemption, if you do not establish another principal residence and you intend to return within two years, or if you are a resident of a health facility or in the military. **You may receive only one Homestead Exemption.**

Over-65 or Disabled Person Exemption.

1. To qualify for an Over-65 exemption, you must be at least age 65. This exemption includes a school tax limitation or ceiling. You must submit proof of age. Acceptable proof includes either a copy of the front side of your driver's license or a copy of your birth certificate or any official document reflecting your date of birth. You must apply during the calendar year of your 65th birthday to receive the Over-65 exemption for that tax year.
2. You qualify for a Disabled Person exemption if you are/were under a disability for the purposes of payment of disability benefits under the federal Old Age, Survivor's and Disability Insurance Act OR you met the definition of disabled in that Act. You must submit proof of disability for the Disabled Person exemption. Acceptable proof includes a current statement from the **Social Security Administration (1-800-772-1213)** showing that you are disabled and the **date** on which your disability began, or a current letter of verification from your physician stating that you are disabled, the **date** your disability began, and you are unable to engage in any **substantial gainful work** for a period which has lasted or can be expected to last for a **continuous period of one year or more**.
3. The Over-65 or Disabled Person exemption for school taxes includes a school tax limitation or ceiling. Other types of taxing units (county, city, or special district) have the option to grant a tax limitation on homesteads of homeowners disabled or 65 years of age or older. You may transfer the same percentage of school taxes paid to another qualified homestead in the state. If the county, city or special district grants the limitation, you may transfer the same percentage of taxes paid to another qualified homestead within that same taxing unit.
4. You may **not** claim both an Over-65 and Disabled Person exemption in the same tax year.

Over-55 Surviving Spouse of a Person who received the Over-65 Exemption. You qualify for an extension of the exemption if you are 55 years of age or older on the date your spouse died and your deceased spouse was receiving the Over-65 exemption on this residence homestead or would have qualified for the exemption in the year of the spouse's death. You will not receive the school tax limitation for the Over-65 exemption unless your spouse died on or after December 1, 1997.

A surviving spouse of a person who received a **Disabled Person exemption** or would have qualified for the exemption in the year of the spouse's death will **NOT** receive the school tax limitation for the Disabled Person exemption, unless your spouse died on or after January 1, 2003 and the city or county in which you reside offers the limitation.

Late File: Application should be filed between January 1 and May 1 of the tax year to which the exemption applied. However, you may file a late application no later than one year after the delinquency date for the taxes on your homestead.

Signature Required: The person qualified for the exemption(s) checked must sign the application. If the Chief Appraiser grants your application, you do not have to reapply annually. However, you must reapply if the Chief Appraiser requires you to do so, or if you want the exemption to apply to property not listed on this application. **You must notify the Chief Appraiser in writing, if and when, your right to this exemption ends.** If this application is not approved, you will receive written notification explaining why it was not approved.

Penalties for False Homestead Exemptions: Texas Property Tax Code imposes a penalty of 50 percent for delinquent taxes if a property received an erroneously granted homestead exemption. The penalty does not apply if, at any time before the date the tax becomes delinquent, the owner gives the Chief Appraiser written notice of circumstances that would disqualify the owner for the exemption.

Answering all questions on the application will prevent delay in processing or possible denial of your application. Please attach all requested documentation to your application and mail to the P.O. Box address noted on the top of the application.

**Dallas Central Appraisal District location address:
2949 N. Stemmons Fwy, Dallas TX 75247**

Step 4:

- a. On what date did you begin occupying this property? / / Pursuant to Section 11.42 of the Texas State Property Tax Code, to qualify for a homestead exemption you must **own** and **occupy** your residence on January 1 of the year application is made.
- b. Are you claiming an exemption on another property or on your previous residence? ☐ Yes ☐ No If yes, please provide the property address of the other property: _____
If the property is located within Dallas Central Appraisal District (DCAD) boundaries, the exemption will be removed and applied to this property. If the previous residence is located outside DCAD boundaries, **please attach documentation from the other appraisal district verifying removal of the exemption.**
- c. If you occupied your residence on January 1 and claim this property as your primary residence, but you are temporarily away, please provide the date you intend to return to this property: / / and the reason you are temporarily away, _____
- d. Is the person applying for this exemption in a facility providing services related to health, infirmity or aging? ☐ Yes ☐ No
- e. If your residence was less than 100% complete on January 1 of the year application is made, please attach proof of residency, such as a copy of a utility bill mailed to you at the property address and dated **on or before January 1**. The documentation proves you were residing at your residence even though it was not 100% complete on January 1 and will eliminate questions and possible delays in processing your application.
- f. Please explain if any part of your property is used for rental purposes, such as a room over the garage, detached buildings, second dwelling, servants quarters, etc. Give details below as to what space is used for rental purposes and on what date the property was rented. Pursuant to Section 11.13 of the Texas State Property Tax Code, you can claim a homestead exemption only on the portion of the property you **occupy** as your primary residence. Attach additional sheets if necessary.

- g. If this is a **Manufactured Home**, the application for the exemption must be accompanied by a copy of the statement of ownership and location for the manufactured home issued by the Manufactured Housing Division of the Texas Department of Housing and Community Affairs (1-800-500-7074) **OR** a copy of the mobile home title **OR** a verified copy of the purchase contract showing that the applicant is the purchaser of the manufactured home.
- h. If this is **Cooperative Housing** and you have exclusive right to occupy the unit because you own cooperative housing corporation stock, please attach a copy of the form, Certificate of Purchase of Membership in Cooperative Housing Corporation.

Step 5:

Section 11.43(f) of the Texas State Property Tax Code requires the Social Security or driver's license number and date of birth of the person(s) applying for the exemption(s).

Applicant's Information:

Social Security No. - -

Driver's License/Texas ID No.

Date of Birth / /

Daytime Phone No. ()

Spouse's Information (See Important Exemption Information on first page)

Social Security No. - -

Driver's License/Texas ID No.

Date of Birth / /

Daytime Phone No. ()

Under Texas Penal Code Section 37.10, if you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a felony. By signing this application, you state that you are qualified for the exemption(s) checked above and the facts in this application are true and correct. You also state that you do not claim an exemption on another residence. You swear or affirm that you have read and understand the penalty for filing a false statement.

Applicant's Signature _____ Date _____

Applicant's Printed Name _____

Spouse's Signature _____ Date _____

Spouse's Printed Name _____

NOTARY STATEMENT: Subscribed and sworn before me this _____ day of _____, _____

Notary Public State of Texas _____

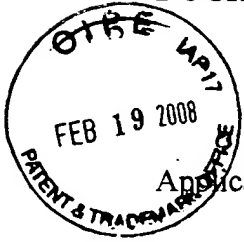
My commission expires: _____

To prevent delays in processing your application, please answer all questions completely. Provide your identification information and signature. Application must be notarized to be accepted.

DOCKET NO. PRES06-00163
SERIAL NO. 09/556,143
PATENT

APPENDIX F

Copy of Signed Declaration

DECLARATION

On behalf of Refocus Ocular, Inc., the owner of the entire interest in and to U.S. Patent Application Serial No. 09/556,143, on information and belief, I hereby declare that:

Inventor Ronald A. Schachar's last known residence, post office address, and citizenship are as stated below next to his name;

I believe inventor Ronald A. Schachar is the original, first, and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention, design or discovery entitled:

SEGMENTED SCLERAL BAND FOR TREATMENT OF
PRESBYOPIA AND OTHER EYE DISORDERS

the specification of which was filed on April 21, 2000 and assigned Serial No. 09/556,143;

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by all prior amendments; and

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim no foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate on which priority is claimed.

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in § 1.56 which became available between the filing date of any prior application(s) and the national or PCT international filing date of this application.

<u>SERIAL NO.</u>	<u>DATE FILED</u>	<u>STATUS</u>
09/032,830	March 2, 1998	patented, U.S. 6,197,056
08/462,649	June 5, 1995	patented, U.S. 5,722,952
08/139,756	October 22, 1993	patented, U.S. 5,489,299
07/913,486	July 15, 1992	patented, U.S. 5,354,331

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.


Full name of inventor: Ronald A. Schachar

Residence: Dallas, Dallas County, Texas

Citizenship: United States

Post Office Address: 10010 Lennox Lane
Dallas, Texas 75229

February 15, 2008
Date



William A. Munck
Registered Attorney
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